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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

22

Application Number

10/762,766

Filing Date

January 21, 2004

First Named Inventor

Xaver Pfab

Art Unit

2838

Examiner Name

P.F. Tibbits

Attorney Docket Number

080437.53095US

ENCLOSURES (check all that apply)☒ Fee Transmittal Form☒ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Documents☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing Parts
under 37 CFR 1.52 or

1.53

☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence
Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to Group☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify
below):

Remarks

C&M Check No.: 6550 for \$950.00

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

CROWELL & MORING LLP

Signature

Printed Name

GEORGE L. FOUNTAIN

Date

February 4, 2005

Reg. No.

36,374

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

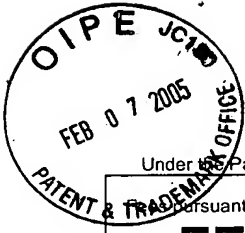
Laura R. Dixon

Date

February 4, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 950.00**Complete if Known**

Application Number	10/762,766
Filing Date	January 21, 2004
First Named Inventor	Xaver Pfab
Examiner Name	P.F. Tibbits
Art Unit	2838
Attorney Docket No.	080437.53095US

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: 05-1323 Deposit Account Name: Crowell & Moring LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments
under 37 CFR 1.16 and 1.17

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description		Small Entity Fee (\$)	
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent		50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent		200	100
Multiple dependent claims		36	180
Total Claims	Extra claims	Fees (\$)	Fee Paid (\$)
27	-20 or HP 7	x \$50.00	= \$350.00
HP = highest number of total claims paid for, if greater than 20			
Indep. Claims	Extra claims	Fees (\$)	Fee Paid (\$)
6	- 3 or HP 3	\$200.00	\$600.00
HP = highest number of total claims paid for, if greater than 3			
		Multiple Dependence Claims	
		Fee (\$)	Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	Round up to a whole number x	=	

4. OTHER FEES

Non-English Specification, \$130 fee (no small entity discount)
Other

SUBMITTED BY

Signature	<i>George L. Fountain</i>	Registration No. (Attorney/Agent) 36,374	Telephone (949) 263-8400
Name (Print/Type)	George L. Fountain		Date 2/4/05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ITJ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No.: 10/762,766 Confirmation No. 2549
Applicant : Xaver Pfab, et al.
Filed : January 21, 2004
TC/A.U. : 2838
Examiner : Pia Florence Tibbits
Docket No. : 080437.53095US
Customer No. : 23911

M/S Amendment

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT

This Amendment is responsive to the Office Action mailed on November 4, 2004 in connection with the above-identified patent application. A shortened statutory period for filing a response to the Office Action is set to expire on February 4, 2005. Reconsideration of this case is respectfully requested in view of the following amendments and remarks.:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 14 of this paper.

02/09/2005 CCHAU1 00000040 10762766

01 FC:1202 350.00 OP
02 FC:1201 600.00 OP